

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE FOREIGN EXCHANGE :
BENCHMARK RATES ANTITRUST : No. 1:13-cv-07789-LGS
LITIGATION :
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**CLASS PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT AGREEMENTS WITH BANK OF AMERICA,
BARCLAYS, BNP PARIBAS, CITIGROUP, GOLDMAN SACHS, HSBC, JPMORGAN,
RBS, AND UBS**

TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD

PLEASE TAKE NOTICE that, on a date and at a time to be determined by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, in the Courtroom of the Honorable Lorna G. Schofield, Aureus Currency Fund, L.P.; the City of Philadelphia, Board of Pensions and Retirement; Employees' Retirement System of the Government of the Virgin Islands; Employees' Retirement System of Puerto Rico Electric Power Authority; Fresno County Employees' Retirement Association; Haverhill Retirement System; Oklahoma Firefighters Pension and Retirement System; State-Boston Retirement System; Syena Global Emerging Markets Fund, LP; Systrax Corporation; Tiberius OC Fund, Ltd.; United Food and Commercial Workers Union and Participating Food Industry Employers Tri-State Pension Fund; Value Recovery Fund L.L.C.; J. Paul Antonello; Marc G. Federighi; Thomas Gramatis; Doug Harvey; Izee Trading Company; John Kerstein; Michael Melissinos; Mark Miller; Robert Miller; Richard Preschern d/b/a Preschern Trading; Peter Rives; Michael J. Smith; Jeffrey Sterk;

and Kimberly Sterk (collectively, “Class Plaintiffs”¹) will, and hereby do, move the Court, pursuant to Fed. R. Civ. P. 23(e), for an Order:

- (1) preliminarily approving the proposed settlements (“Settlement Agreements”) with Bank of America, Barclays, BNP Paribas, Citigroup, Goldman Sachs, HSBC, JPMorgan, RBS, and UBS;
- (2) certifying the putative Settlement Classes for settlement purposes;
- (3) appointing Christopher M. Burke of Scott+Scott, Attorneys at Law, LLP and Michael D. Hausfeld of Hausfeld LLP as settlement class counsel;
- (4) appointing Class Plaintiffs as class representatives for settlement purposes;
- (5) approving Huntington National Bank as Escrow Agent;
- (6) approving Garden City Group as Claims Administrator;
- (7) approving Kenneth Feinberg as Settlement Administrator; and
- (8) staying all proceedings in the Action with respect to the Settling Defendants until further order of the Court, except as may be necessary to implement the settlements set forth in the Settlement Agreements or comply with the terms thereof.

Submitted herewith in support of this Motion are the:

- (1) Class Plaintiffs’ Memorandum of Law in Support of Motion for Preliminary Approval of Settlement Agreements with Bank of America, Barclays, BNP Paribas, Citigroup, Goldman Sachs, HSBC, JPMorgan, RBS, and UBS;
- (2) Declaration of Christopher M. Burke and Michael D. Hausfeld in Support of Class Plaintiffs’ Motion for Preliminary Approval of Settlement Agreements with

¹ Unless otherwise defined herein, all capitalized terms have the meaning ascribed to them in the Settlement Agreements.

Bank of America, Barclays, BNP Paribas, Citigroup, Goldman Sachs, HSBC, JPMorgan, RBS, and UBS and the Exhibits thereto;

(3) Declaration of Kenneth R. Feinberg in Support of Class Plaintiffs' Motion for Preliminary Approval of Settlement Agreements with Bank of America, Barclays, BNP Paribas, Citigroup, Goldman Sachs, HSBC, JPMorgan, RBS, and UBS and the exhibits thereto; and

(4) [Proposed] Order Preliminarily Approving Settlements, Conditionally Certifying the Settlement Classes, and Appointing Class Counsel and Class Representatives for the Settlement Classes.

Dated: October 22, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2015, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 22, 2015.

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